

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re: FORESIGHT ENERGY LP, <i>et al.</i> , Debtors.	Chapter 11 Case No. 20-41308-659 Jointly Administered
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CERTIFICATE OF PUBLICATION

I, Kelsey L. Gordon, depose and say that I am employed by Prime Clerk LLC (“*Prime Clerk*”), the claims and noticing agent for the Debtors in the above-captioned chapter 11 cases.

This Certificate of Publication includes a sworn statement verifying that the *Notice of Deadlines for Filing Proofs of Claims* as conformed for publication, was published on April 21, 2020, in the national edition of the *New York Times* as described in the sworn statement attached hereto as **Exhibit A**.

In addition to the above, the notice was also published in the *St. Louis Post-Dispatch* on April 21, 2020 and a copy of the extracted notice is attached as **Exhibit B**.

Dated: April 27, 2020

/s/ Kelsey L. Gordon
Kelsey L. Gordon

State of New York
County of New York

Subscribed and sworn to (or affirmed) before me on April 27, 2020, by Kelsey L. Gordon proved to me on the basis of satisfactory evidence to be the person who appeared before me.

/s/ JAMES A. MAPPLETHORPE
Notary Public, State of New York
No. 01MA6370846
Qualified in New York County
Commission Expires February 12, 2022

Exhibit A

[illegible]

Exhibit B

Virus

From A1

step-by-step reopenings were underway in Europe, where the crisis has begun to ebb in places such as Italy, Spain and Germany. Parts of the continent are perhaps weeks ahead of the U.S. on the infection curve of the virus, which has killed about 170,000 people worldwide, according to a tally kept by Johns Hopkins University.

Trump said late Monday that he will sign an executive order “to temporarily suspend immigration into the United States” because of the coronavirus.

“In light of the attack from the Invisible Enemy, as well as the need to protect the jobs of our GREAT American Citizens, I will be signing an Executive Order to temporarily suspend immigration into the United States!” Trump tweeted.

He offered no details as to what immigration programs might be affected by the order. The White House did not immediately elaborate on Trump’s tweeted announcement.

Businesses that start operating again in the U.S. are likely to engender good will with the Trump administration at a time when it is doling out billions in relief to companies. But the reopenings being announced are a drop in the bucket compared with the more than 22 million Americans thrown out of work by the crisis.

In a dispute that has turned nakedly political, President Donald Trump has been agitating to restart the economy, singling out Democratic-led states and egging on protesters who feel governors are moving too slowly.

Some states — mostly Republican-led ones — have relaxed restrictions, and on Monday announced that they would take further steps to reopen their economies.

Georgia Gov. Brian Kemp announced that gyms, hair salons, bowling alleys and tattoo parlors were among businesses that could reopen Friday, as long as owners followed strict social distancing and hygiene requirements.

The governor said a decline in emergency room visits by people with flu-like symptoms indicated that infections were going down. But he also acknowledged that Georgia had lagged in COVID-19 testing and announced new initiatives to ramp it up.

Texas on Monday began a week of slow reopenings, starting off with state parks, while officials said that later in the week,



MATT ROURKE, ASSOCIATED PRESS

Protesters demonstrate on Monday at the state Capitol in Harrisburg, Pa., demanding that Gov. Tom Wolf reopen Pennsylvania’s economy even as new social-distancing mandates took effect at stores and other commercial buildings.

stores would be allowed to offer curbside service. Tennessee Gov. Bill Lee announced Monday that businesses across most of the state would begin reopening as early as next week, although the order did not cover counties with the largest cities, including Nashville, Memphis, Knoxville and Chattanooga. Both states are led by Republicans.

Republican West Virginia Gov. Jim Justice said Monday that he would allow hospitals to begin performing elective procedures if the facilities met an unspecified set of criteria, while Democratic Colorado Gov. Jared Polis said Monday that he would let his statewide stay-at-home order expire next week as long as strict social distancing and other individual protective measures continued.

But governors from many other states said they lacked the testing supplies they need and warned they could get hit by a second wave of infections, given how people with no symptoms can still spread the disease.

“Who in this great state actually believes that they care more about jet skiing than saving the lives of the elderly or the vulnerable?” Democratic Michigan Gov. Gretchen Whitmer remarked, referring to restrictions in place in her state. “This action isn’t about our individual right to gather. It’s about our parents’ right to live.”

Trump took to Twitter to complain that the “radical left” and “Do Nothing Democrats” are “playing a very dangerous political game” by complaining

about a testing shortage.

Kansas’ Democratic Gov. Laura Kelly said the current federal effort “really is not good enough if we’re going to be able to start to open our economy. We cannot do that safely without the tests in place.”

Supply shortages have stymied U.S. testing for weeks. The needs range from basic supplies like swabs and protective gear to highly specialized laboratory chemicals needed to analyze patient results. Hospitals, laboratories and state health departments report scouring the globe to secure orders, competing against each other and their peers abroad.

The governors’ plea for stepped-up coordination came on the latest day when the Trump administration provided discordant messaging: Trump blasted state leaders on Twitter for being too dependent on federal government and said later that some governors just didn’t understand what they had, while Vice President Mike Pence assured governors the government was working around-the-clock to help them ramp up testing.

Pence sought to soften the administration’s message amid growing clamor from both parties for a national testing strategy to help secure testing swabs, chemical reagents and other crucial supplies.

“When it comes to testing, we’re here to help,” Pence told governors during a videoconference from the headquarters of the Federal Emergency Management Agency. The Associated Press obtained audio of the call.

Pence said the admin-

istration sent each state a detailed list Monday of testing capacity. But Maryland’s Republican Gov. Larry Hogan said much of the unused lab machinery listed for his state was in federal labs the state does not have access to. Pence said the administration has agreed to open up federal labs to help states.

Hogan announced Monday that the state had received 500,000 tests from South Korea — a “game-changing” deal negotiated by his wife, Yumi Hogan, who grew up outside Seoul.

“They want the states to take the lead, and we have to go out and do it ourselves, and so that’s exactly what we did,” Hogan said.

The death toll in the U.S. stood at more than 40,000 — the highest in the world — with over 750,000 confirmed infections, by Johns Hopkins’ count. The true figures are believed to be much higher, in part because of limited testing and difficulties in counting the dead.

In other developments:

• Massachusetts has emerged as an alarming hot spot of contagion, with over 1,700 dead and officials hoping to bend the curve through aggressive contact tracing.

• New York, with the worst outbreak in the nation, reported that hospitalizations in the state have leveled off and the day’s death toll, at 478, was the lowest in three weeks, down from a peak of nearly 800. Still, the city canceled three of its biggest June events: the Puerto Rican Day parade, the Israel parade and the gay pride march.

• A meatpacking plant in Minnesota was shut down after an outbreak there. But Iowa Gov. Kim Reynolds refused to order the closing of any slaughterhouses in her state that are seeing alarming increases in COVID-19, saying: “Without them, people’s lives and our food supply will be impacted.”

Mobilized by the far right, many Americans have taken to the streets in places such as Michigan,

Ohio and Virginia, complaining that the shutdowns are destroying their livelihoods and trampling their rights.

But Dr. Anthony Fauci, the government’s top infectious-disease expert, warned on ABC: “Unless we get the virus under control, the real recovery economically is not going to happen.”

Boeing’s shutdown went into effect March 25 after workers tested positive for the virus and an inspector for the company died. Washington was the first state to see a spike in COVID-19 cases and enacted strict shutdown orders that helped tamp the virus down.

The crisis has exacerbated problems at Boeing, which is in dire financial trouble and under federal investigation over two crashes of its 737 MAX jetliner that killed 346 people.

Union representatives spent the day walking through factories to see what safeguards had been put in place.

At Doosan Bobcat, spokeswoman Stacey Breuer said the reopening came after two weeks spent putting in safety measures.

“There is definitely still some concern and do we feel 100% safe? Obviously not,” said William Wilkinson, a Bobcat welder and president of a United Steelworkers union local. He said workers there were wearing face masks and keeping their distance from one another.

Detroit’s major automakers suspended operations a month ago but are negotiating with union leaders in hopes of reopening in May. Some operations are being converted to build ventilators.

Even with the outbreak easing in places, the head of the World Health Organization, Tedros Adhanom Ghebreyesus, cautioned, “The worst is yet ahead of us.” He did not specify why he believed so. But there were signs the virus was swelling in Africa, where the health care system is in poor condition.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI, EASTERN DIVISION
In re:) Chapter 11
FORESIGHT ENERGY LP et al.,) Case No. 20-41308-659
Debtors.) (Jointly Administered)
Related Docket No.: 30

NOTICE OF DEADLINES FOR FILING OF PROOFS OF CLAIM

PLEASE TAKE NOTICE OF THE FOLLOWING:

On April 14, 2020, the United States Bankruptcy Court for the Eastern District of Missouri (the “Court”) entered an order (Docket No. 322) (the “Bar Date Order”) establishing certain deadlines for the filing of Proofs of Claim in chapters 11 cases of Foresight Energy LP and certain of its direct and indirect subsidiaries listed below (collectively, the “Debtors”): **Debtor’s Name, Debtor’s Case Number:** Foresight Energy LP 20-41308; Foresight Energy GP LLC, 20-41309; Foresight Energy LLC, 20-41312; Foresight Energy Employee Services Corporation, 20-41316; Foresight Energy Services LLC, 20-41319; Foresight Receivables LLC, 20-41321; Sugar Camp Energy, LLC, 20-41336; Macoupin Energy LLC, 20-41331; Williamson Energy, LLC, 20-41327; Foresight Coal Sales LLC, 20-41323; Tanner Energy LLC, 20-41317; Strain LLC, 20-41310; Seneca Rebuild LLC, 20-41311; Onesse LLC, 20-41313; Adena Resources, LLC, 20-41314; Hillsboro Transport LLC, 20-41318; American Century Transport LLC, 20-41322; Akin Energy LLC, 20-41326; American Century Mineral LLC, 20-41330; Foresight Energy Finance Corporation, 20-41333; Foresight Energy Labor LLC, 20-41337; Viking Mining LLC, 20-41325; M-Class Mining, LLC, 20-41335; MaRyan Mining LLC, 20-41320; Mach Mining, LLC, 20-41338; Logan Mining LLC, 20-41325; LD Labor Company LLC, 20-41324; Coal Field Repair Services LLC, 20-41329; Coal Field Construction Company LLC, 20-41334; Hillsboro Energy LLC, 20-41328.

More information can be obtained, free of charge, from the website maintained by the Debtors’ claims, noticing and balloting agent, Prime Clerk LLC (“Prime Clerk”), at <https://cases.primeclerk.com/foresightenergy> (the “Prime Clerk Website”).

By the Bar Date Order, the Court established: (i) **May 26, 2020 at 11:59 p.m., prevailing Central Time** (the “General Bar Date”), as the general deadline for entities to file Proofs of Claim in the Debtors’ cases for claims arising prior to the Bar Date or are deemed to have arisen prior to the date on which the Debtors filed their chapter 11 petitions, March 10, 2020 (the “Petition Date”); and (ii) **September 8, 2020 at 11:59 p.m., prevailing Central Time** (the “Governmental Bar Date”), as the general deadline for governmental units to file Proofs of Claim in the Debtors’ cases for claims against the Debtors that arose or are deemed to have arisen prior to the Petition Date. As described below, the Bar Date Order also establishes different bar dates for certain categories of claims.

As used in this Notice, the terms “claim,” “entity,” “governmental unit,” and “person” have the meanings given to them under applicable sections of title 11 of the United States Code (the “Bankruptcy Code”).

A. THE BAR DATES. The Bar Date Order establishes the following bar dates for filing Proofs of Claim or requests for payment of certain administrative expenses in these cases (collectively, the “Bar Dates”):

1. **The General Bar Date.** Pursuant to the Bar Date Order, except as described below, all entities holding claims (whether secured, unsecured, priority or unsecured priority, including section 503(b)(9) claims) against the Debtors that arose or are deemed to have arisen prior to the commencement of these cases are required to file Proofs of Claim by **May 26, 2020 at 11:59 p.m., prevailing Central Time.** The General Bar Date applies to all types of claims against the Debtors that arose prior to the Petition Date.

2. **The Governmental Bar Date.** Pursuant to the Bar Date Order, all governmental units holding claims against the Debtors that arose or are deemed to have arisen before the Petition Date are required to file Proofs of Claim by **September 8, 2020 at 11:59 p.m., prevailing Central Time.**

3. **The Rejection Bar Date.** Pursuant to the Bar Date Order, any entity asserting any prepetition or postpetition claims against the Debtors (including administrative claims under Bankruptcy Code section 503(b) arising from or relating to the rejection of executory contracts or unexpired leases pursuant to a court order or by operation of Bankruptcy Code section 365(f)(4) (collectively, “Rejection Damages Claims”) are required to file Proofs of Claim by the later of: (i) the General Bar Date; and (ii) **11:59 p.m., prevailing Central Time, on the date that is twenty-one (21) days after the entry of the relevant order or the deemed rejection date.** The later of these dates is referred to in this Notice as the “Rejection Bar Date.”

4. **The Amended Schedules Bar Date.** Pursuant to the Bar Date Order, if, subsequent to the date of this Notice, a Debtor amends or supplements its Schedules, the affected claimant is required to file a proof of claim or amend any previously filed proof of claim in respect of the new or amended scheduled claim by the later of: (i) the General Bar Date; and (ii) **11:59 p.m., prevailing Central Time, on the date that is thirty (30) days after the date that notice of the applicable amendment or supplement to the Schedules is served on the claimant.** The later of these dates is referred to in this Notice as the “Amended Schedules Bar Date.”

B. WHO MUST FILE A PROOF OF CLAIM. Unless an exception applies, if you have a claim that arose or is deemed to have arisen prior to the Petition Date, you **MUST** file a proof of claim to vote on a chapter 11 plan or to share in distributions from the Debtors’ bankruptcy estates. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date. The exceptions to the requirement to file a claim by the Bar Dates are described in the Bar Date Order, which is available on the Prime Clerk Website.

C. WHAT TO FILE. Claims should be asserted on proof of claim forms that conform substantially to the standard proof of claim form Official Form B-410. Proof of Claim Forms may be obtained, free of charge, at the Prime Clerk Website or <https://www.uscourts.gov/forms/bankruptcy-forms>.

All proof of claim forms must be **signed** by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant (electronic signatures are acceptable). The proof of claim form must be written in English and be denominated in United States currency. You should attach to your completed proof of claim form any documents upon which the claim is based (or, if such documents are voluminous, attach a summary) or an

explanation as to why the documents are not available.

Except as otherwise set forth in the Bar Date Order, all claimants asserting a claim against more than one Debtor must file a separate proof of claim with respect to each such Debtor and identify on each proof of claim the particular Debtor against which such claim is asserted and the case number for that particular Debtor. If any proof of claim does not clearly specify the name of the Debtor against which the claim is asserted (including listing multiple Debtors), that proof of claim shall be administered as though it was filed against Foresight Energy LP (Case No. 20-41308-659), unless a single different case number is clearly specified. Notwithstanding the foregoing, the failure of any entity to file its proof of claim against the correct Debtor shall not constitute cause to expunge the proof of claim. Rather, the Debtors may seek to reclassify the proof of claim so that the claim is asserted against the proper Debtor on notice to the affected claimant.

Any entity asserting a Rejection Damages Claim with an administrative claim component must file as part of its proof of claim a detailed statement describing the nature and basis of any portion of the Rejection Damages Claim asserting an administrative priority under Bankruptcy Code section 503(b) (the “Administrative Claim Supplement”).

Under the Bar Date Order, the filing of a proof of claim form, along with an attached Administrative Claim Supplement, if applicable, shall be deemed to satisfy the procedural requirements for the assertion of a Rejection Damages Claim (including any administrative claim included therein). **All other administrative claims under Bankruptcy Code section 503(b) must be made by separate requests for payment in accordance with Bankruptcy Code section 503(a) and should be deemed timely by proof of claim.** No deadline has been established for the filing of administrative claims other than (a) claims under Bankruptcy Code section 503(b)(9) and (b) any portion of a Rejection Damages Claim seeking administrative priority, which claims must be filed by the General Bar Date and the Rejection Bar Date, respectively.

D. WHEN AND WHERE TO FILE. Claimants must submit Proofs of Claim either (a) through the CM/ECF system on the Court’s website at <https://www.moe.uscourts.gov> (electronic filing) or (b) electronically using the Electronic Proof of Claim (EPOC) Program on the Court’s website at <https://www.moe.uscourts.gov/epoc> (electronic proof of claim filing); or (c) by first-class mail or overnight courier to Clerk of the Bankruptcy Court, Eastern District of Missouri, 111 S. 10th St., 4th Floor, St. Louis, MO 63102; or (d) by first-class mail, overnight courier, or hand-delivery to **Foresight Energy LP Claims Processing Center, c/o Prime Clerk LLC, 850 3rd Avenue, Suite 412, Brooklyn, NY 11232.** Proofs of claim must be actually received by 11:59 p.m., prevailing Central Time, on or before the applicable Bar Date. **Proofs of claim may NOT be delivered by facsimile or electronic mail transmission.** Any facsimile or electronic mail submission will not be accepted and will not be deemed filed until a proof of claim is submitted by one of the approved methods described above.

Proof of claim forms will be docketed and maintained by the Court with a duplicate claims register maintained by the Debtors’ claims agent, Prime Clerk. If you wish to receive acknowledgement of the Court’s or Prime Clerk’s receipt of a proof of claim, you must submit to the Court or Prime Clerk by the applicable Bar Date and concurrently with your original proof of claim: (a) a copy of the original proof of claim; and (b) a self-addressed, postage prepaid return envelope.

E. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE. EXCEPT AS OTHERWISE SET FORTH IN THE BAR DATE ORDER, ANY ENTITY THAT IS REQUIRED TO FILE A PROOF OF CLAIM WITH RESPECT TO A PARTICULAR CLAIM AGAINST A DEBTOR BUT THAT FAILS TO DO SO BY THE APPLICABLE BAR DATE DESCRIBED IN THIS NOTICE SHALL BE STOPPED AND ENJOINED FROM THE FOLLOWING: (I) ASSERTING ANY SUCH CLAIM AGAINST THE DEBTORS OR THEIR ESTATES OR AGAINST ANY REORGANIZED DEBTOR OR SUCCESSOR IN INTEREST FOLLOWING THE EFFECTIVE DATE OF A CHAPTER 11 PLAN OF REORGANIZATION IN THESE CASES, OR PROPERTY THAT IS IN AN AMOUNT THAT EXCEEDS THE AMOUNT, IF ANY, THAT IS IDENTIFIED IN THE SCHEDULES ON BEHALF OF SUCH ENTITY AS UNDISPUTED, NONCONTINGENT AND LIQUIDATED OR (B) IS OF A DIFFERENT NATURE OR CLASSIFICATION THAN ANY SUCH CLAIM IDENTIFIED IN THE SCHEDULES ON BEHALF OF SUCH ENTITY (ANY SUCH CLAIM IN THIS SUBPARAGRAPH BEING REFERRED TO IN THIS NOTICE AS AN “UNSCHEDULED CLAIM”); (II) VOTING UPON OR RECEIVING DISTRIBUTIONS UNDER ANY CHAPTER 11 PLAN IN THESE CHAPTER 11 CASES IN RESPECT OF AN UNSCHEDULED CLAIM; OR (III) WITH RESPECT TO ANY ADMINISTRATIVE PRIORITY CLAIM COMPONENT OF ANY REJECTION DAMAGES CLAIM, ASSERTING ANY SUCH PRIORITY CLAIM AGAINST THE DEBTORS OR THEIR ESTATES OR PROPERTY.

F. RESERVATION OF RIGHTS. The Debtors reserve the right, subject to the DIP Orders, to: (a) dispute, or assert offsets or defenses against, any filed claim or any claim listed or reflected in the Schedules as to nature, amount, liability, priority, classification or otherwise; (b) subsequently designate any scheduled claim as disputed, contingent or unliquidated; and (c) otherwise amend or supplement the Schedules. Nothing contained in this Notice shall preclude the Debtors from objecting to any claim, whether scheduled or filed, on any grounds.

G. THE DEBTORS’ SCHEDULES AND ADDITIONAL INFORMATION. You may be listed as the holder of a claim against one or more of the Debtors in the Debtors’ Schedules. Copies of the Debtors’ Schedules, a Proof of Claim Form and other information and documents regarding the Debtors’ chapter 11 cases (including the Bar Date Order) are available for inspection and download free of charge on the Prime Clerk Website.

If you rely on the Debtors’ Schedules, it is your responsibility to determine that the claim is accurately listed in the Schedules. Otherwise, if you decide to file a proof of claim, you must do so before the applicable Bar Date in accordance with the procedures set forth in this Notice.

If you require additional information regarding the filing of a proof of claim, you may contact Prime Clerk by telephone at (844) 648-5574 (toll free in the U.S. and Canada) or (347) 505-5254 (international calls), and via electronic mail at foresightinfo@primeclerk.com. You also may contact Prime Clerk directly by writing to the Prime Clerk Claims Processing Center.

A HOLDER OF A POSSIBLE CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM. YOU ARE FURTHER ENCOURAGED TO CAREFULLY REVIEW THE BAR DATE ORDER AND RELATED MATERIALS ON THE PRIME CLERK WEBSITE.

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